

REMARKS/ARGUMENTS

Favorable reconsideration of this application, in light of the present amendment and following discussion, is respectfully requested.

Claims 1, 4, 6-12, and 14-24 are pending. Claim 2-3, 5, and 13 are canceled. Claims 1, 4, 6, 10, and 14-19 are amended. Support for the amendments to Claims 1 and 6 can be found in now-canceled Claim 13, in Claim 14, and in Fig. 9 and the description thereof, for example. Support for the amendments to Claims 4, 10, and 14-17 is self-evident in light of the amendment to Claim 1. Claims 10, 18, and 19 are placed in independent form by amending these claims to incorporate the features of the base claim and any intervening claims. Accordingly, support for these amendments is self-evident. No new matter is added.

In the outstanding Office Action, Claims 1, 6, 13, 16, and 17 were rejected under 35 U.S.C. § 103(a) as obvious over Tojo (JP 2003/319814, herein "JP '814") in view of Mitsumoto (German Patent No. DE 1,911,176, herein "DE '176") and Iskra (U.S. Patent No. 5,021,050). Claims 1, 3, 4, and 23 were rejected under 35 U.S.C. § 103(a) as obvious over JP '814 in view of Takehana (Japanese Patent No. JP 10117836, herein "Takehana") in view of Iskra. Claim 5 was rejected under 35 U.S.C. § 103(a) as obvious over JP '814, Takehana, Iskra, and Kobayashi (WO 03/007752, herein "WO '752"). Claims 7 and 8 were rejected under 35 U.S.C. § 103(a) as obvious over JP '814 in view of Takehana, Iskra, and Wajaroff (U.S. Patent No. 4,470,423, herein "Wajaroff"). Claims 14, 15, 20, and 21 were rejected under 35 U.S.C. § 103(a) as obvious over JP '814, DE '176, Iskra, and Takehana. Claims 9, 22, and 24 were allowed. Claims 10-12, 18, and 19 were indicated as reciting allowable subject matter.

Applicants note with appreciation the allowance of Claims 9, 22, and 24 and the indication that Claims 10-12, 18, and 19 recite allowable subject matter.

Regarding the rejection of Claim 1 as obvious over JP '814, DE '176, and Iskra and the rejection of Claim 1 as obvious over JP '814, Takehana, and Iskra, those rejections are respectfully traversed by the present response.

Amended independent Claim 1 recites, in part:

hair holding sheets comprising a flat tube with two sides and a hollow therein, the hollow being configured to have a hair bundle inserted therethrough,

...

wherein at least one of the hair holding sheets has provided on a side thereof a plurality of sealed agent packets including a hair treating agent sealed therein, the sealed packets each including a protrusion within the packet, which protrusion is a portion weaker in seal strength than a remainder of the respective sealed packet.

Thus, the hair holder comprises a flat tube comprised of hair holding sheets. At least one of the sheets has a plurality of sealed packets on a side thereof. The sealed packets include a protrusion that is weaker than the rest of the sealed packet.

One non-limiting example of the above-noted arrangement is shown in Fig. 10 by protrusion (276).

One benefit of this arrangement is that, as discussed in the specification, "the supply position of the hair treating agent to hairs is fixed."<sup>1</sup>

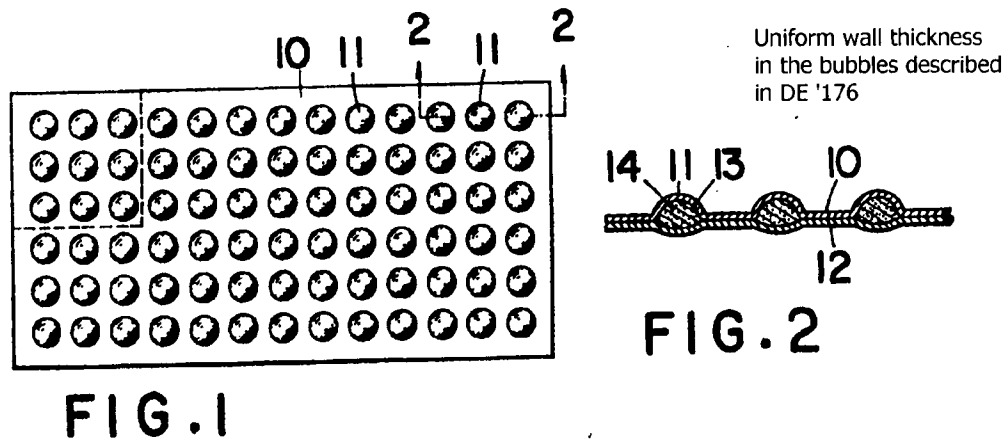
In contrast, JP '814 does not disclose any agent packets. Rather, as shown in Fig. 1A - Fig. 6, JP '814 is directed to a generally solid tubular body (2) without any packets, much less protrusions in the packets as recited in amended Claim 1.

DE '176 fails to remedy the deficiencies discussed above regarding JP '814. Rather, DE '176 does not disclose a protrusion in a packet, much less one that is weaker in sealing strength than a remainder of the packet as recited in amended independent Claim 1. This structure is evident by inspection of Figs. 1-4 of DE '176.

---

<sup>1</sup> Published application, paragraph [0132].

As shown in annotated Figs. 1 and 2 below, the bubbles described in DE '176 have uniform wall thicknesses without protrusions.



DE '176 is unconcerned with any specific orientation of the discharge of the material (14) and provides no protrusions that would affect the orientation of this discharge. Accordingly, DE '176 fails to remedy the deficiencies of JP '814.

Iskra is directed toward a diaper. Iskra does not disclose any packets, and therefore does not disclose or suggest protrusions in the packets as recited in amended independent Claim 1. Accordingly, no reasonable combination of JP '814, DE '176, and Iskra would include all of the features recited in amended independent Claim 1.

Takehana fails to remedy the deficiencies discussed above regarding JP '814, DE '176, and Iskra. As shown in Figs. 1-4 and 6, the device described in Takehana does not include packets as recited in amended independent Claim 1, and therefore does not disclose or suggest protrusions in the packets as recited in Claim 1. Accordingly, no reasonable combination of JP '814, Takehana, and Iskra would include all of the features recited in amended independent Claim 1.

WO '752 fails to remedy the deficiencies discussed above regarding JP '814, DE '176, Iskra, and Takehana. Rather, WO '752 describes a hair dressing tool (1) including openings (7A) and (7B) that allow a curling thread (6) to pass therethrough as set forth in numbered

paragraph [0057] of U.S. Patent Pub. 2004/0231689, which corresponds to WO '752. No packets are disclosed in WO '752, and therefore, no packets and associated protrusions are disclosed. Accordingly, Applicants respectfully submit that no reasonable combination of WO '752 and the remaining references would include all of the features recited in amended independent Claim 1.

Wajaroff fails to remedy the deficiencies in the references discussed above. Rather, Wajaroff does not disclose any specific structure regarding a hair holder, much less one with packets and protrusions as recited in amended independent Claim 1.

Accordingly, as none of the cited references discloses a hair holding sheet with "a plurality of sealed agent packets having a hair treating agent sealed therein, the sealed packets each including a protrusion within the packet, which protrusion is a portion weaker in seal strength than a remainder of the respective sealed packet" as recited in amended independent Claim 1, no reasonable combination of the cited references would disclose this feature. Accordingly, Applicants respectfully submit that amended independent Claim 1 and the claims depending therefrom as well as amended independent Claim 6, which recites substantially similar features to those recited in amended Claim 1, patentably distinguish over any reasonable combination of the cited references for at least the reasons discussed above.

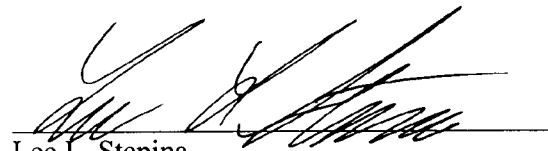
Consequently, in light of the above discussion and in view of the present amendment, the present application is believed to be in condition for allowance. An early and favorable action to that effect is respectfully requested.

Customer Number  
**22850**

Tel: (703) 413-3000  
Fax: (703) 413 -2220  
(OSMMN 08/09)

Respectfully submitted,

Stephen G. Baxter  
Registration No. 32,884

A handwritten signature in black ink, appearing to read 'Lee L. Stepina', is written over a horizontal line.

Lee L. Stepina  
Registration No. 56,837